

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	No. 08 CR 405
v.)	Chief Judge James F. Holderman
)	
MACARTHUR MILAM and)	
RONALD PIEKARZ)	

**GOVERNMENT'S AGREED SECOND MOTION FOR AN EXTENSION OF TIME TO
RETURN INDICTMENT PURSUANT TO 18 U.S.C. § 3161(h)**

The UNITED STATES OF AMERICA, by its attorney, PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, respectfully moves this Court, pursuant to 18 U.S.C. § 3161(h)(8), for a 60-day extension of time, to and including October 17, 2008, in which to seek the return of an indictment against the defendants, for the following reasons:

1. This phase of the investigation was initiated in approximately April 2007. It focused on a number of individuals, 15 of whom were charged in a total of eight complaints filed on either May 20, 2008 or May 21, 2008. The complaints charged defendants with either bribery or conspiracy to commit bribery in violation of Title 18, United States Code, Section 666 and Title 18, United States Code, Section 371, respectively. The complaints against defendants were based in large part on either or both of the cooperation of a cooperating witness who accepted from developers/contractors and paid to City of Chicago inspectors controlled bribes and Court - authorized Title III recorded conversations intercepted between October and December 2007.

2. Defendants Macarthur Milam and Ronald Piekarz were arrested on May 22, 2008. They are the only defendants in this complaint.

3. Factors pertaining to defendants Milam and Piekarz have led to the government's request for extension. Those factors are stated in the Attachment hereto, which the government respectfully requests be placed under seal. The government is requesting that this Attachment be sealed so as not to compromise its ongoing investigation and so as not to reveal matters occurring before the Grand Jury.

4. Given factors particular to defendant Milam and Piekarz stated in the government's sealed Attachment, the government, with the agreement of defendant as stated to the government by both of the defendants counsel, is requesting an additional 60-day extension from the current expiration date of August 19, 2008 to and including October 17, 2008.

WHEREFORE, the United States respectfully requests a 60-day extension of time from August 19, 2008 to and including October 17, 2008 in which to seek an indictment in this case.

Respectfully submitted,
PATRICK J. FITZGERALD
United States Attorney

By: /s/ Christina Egan
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CHRISTINA EGAN
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Dated: August 11, 2008

CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that the following documents:

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were served on August 11, 2008, in accordance with FED. R. CRIM. P. 49, FED. R. CIV. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF) pursuant to the district court's system as to ECF filers.

By: s/Christina Egan
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ORDER

Upon the Government's Motion, under Title 18, United States Code, Section 3161(h)(8)(A) & (B) (ii), (iii) and (iv), for an extension of time in which to return an indictment in the above-captioned cause,

IT IS HEREBY ORDERED that the time within which to file an indictment against the defendants be extended from August 19, 2008 to and including October 17, 2008. Specifically, this Court finds that the ends of justice served by the extension outweigh the best interests of the public and the defendants in a speedy trial because the failure to grant such an extension would deny the government and counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

ENTERED:

JAMES F. HOLDERMAN
Chief Judge

DATED: August ___, 2008